

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

**BERNADENE M. FISK**

vs.

**CIVIL NO. 1: 12-CV-478**

**ARS NATIONAL SERVICES, INC.**

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**JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT**

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Counsel has also advised the Court that no infant or incompetent is a party to this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

**ORDERED** that:

1. The above captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within thirty days of the date of the filing of this order upon a showing that the settlement was not consummated;

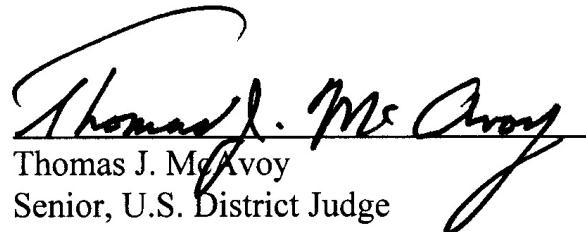
2. The dismissal of the above captioned case shall become **with prejudice** on the thirty-first day after the date of the filing of this order unless any party moves to re-open this case within thirty days of the date of filing of this order upon a showing that the settlement was not consummated. Upon completion

of settlement, the parties are directed to exchange general releases and **file a Stipulation of Discontinuance with the Court to include language "that no party hereto is an infant or incompetent" in compliance with N.D.N.Y.L.R. 41.3**; and,

3. The Clerk shall forthwith serve this Judgment upon the attorneys for the parties appearing in this action by electronic mail.

**IT IS SO ORDERED.**

Dated: February 1, 2013

  
Thomas J. McAvoy  
Senior, U.S. District Judge